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6	IN THE UNITED STATES DISTRICT COURT	
7	FOR THE DISTRICT OF ARIZONA	
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9	Diana Maria Esquer,	No. CV 09-425-PHX-JAT
10	Petitioner,	ORDER
11	vs.	
12	Maricona Superior Court: at al	
13	Maricopa Superior Court; et al.,	
14	Respondents.	
15		
16	Pending before the Court is Petitioner's Amended Petition for Writ of Habeas Corpus	
17	("Petition") (Doc. #5). The Magistrate Judge issued a Report and Recommendation ("R&R")	
18	(Doc. #12) recommending that the Petition be denied.	
19	Neither party has filed objections to the R&R. Accordingly, the Court hereby accepts	
20	the R&R. See Thomas v. Arn, 474 U.S. 140, 149 (1985) (finding that district courts are not	
21	required to conduct "any review at all of any issue that is not the subject of an objection"	
22	(emphasis added)); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en	
23	banc) ("statute makes it clear that the district judge must review the magistrate judge's	
24	findings and recommendations de novo if objection is made, but not otherwise" (emphasis	
25	in original)); see also Schmidt v. Johnstone, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).	
26	Accordingly,	
27	IT IS THEREFORE ORDERED that the Magistrate Judge's Report and	
28	Recommendation (Doc. #12) is <b>ACCEPTED</b> ; accordingly,	

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- Petitioner's Amended Petition for Writ of Habeas Corpus (Doc. #5) is denied and dismissed with prejudice,
- in the event Petitioner files an appeal, issuance of a certificate of appealability is denied because denial of the petition is based on a plain procedural bar and jurists of reason would not find this Court's procedural ruling debatable. *See Slack v. McDaniel*, 529 U.S. 473, 484 (2000),
- the Clerk of the Court shall enter judgment of dismissal with prejudice. DATED this  $2^{nd}$  day of February, 2010.

James A. Teilborg / United States District Judge